

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

ADAM JAY STONE,

Plaintiff,

v.

C. PFEIFFER, et al.,

Defendants.

Case No. 1:21-cv-01461-ADA-SAB (PC)

ORDER DENYING PLAINTIFF'S MOTION
FOR SANCTIONS

(ECF No. 62)

Plaintiff Adam Jay Stone is proceeding pro se in this civil rights action filed pursuant to 42 U.S.C. § 1983.

Currently before the Court is Plaintiff's motion for sanctions, filed December 8, 2022.

Plaintiff contends that Defendants failed to timely file their motion to opt-out of the settlement conference which was filed on November 21, 2022. Plaintiff is incorrect.

On October 20, 2022, the Court set this case for settlement conference before Magistrate Judge Barbara A. McAuliffe and allowed Defendants to opt-out of the settlement conference within thirty days. (ECF No. 49.) Since the thirty day deadline expired on November 19, 2022, a Saturday, the deadline was extended to the next day that is not a Saturday, Sunday, or legal holiday, i.e. Monday, November 21, 2022. See Fed. R. Civ. P. 6(a)(1)(C). Accordingly, Defendants opt-out request was timely filed and Plaintiff's motion for sanctions is denied.

IT IS SO ORDERED.

Dated: **December 12, 2022**



UNITED STATES MAGISTRATE JUDGE